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11 J. HOLLINS, R. PEREZ, A. SIMONSON; CITY OF FRESNO, R. GARRISON,
12 MARK A. YEE

13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA**

15 ZELLA MAYE FREEMAN,) CASE NO. 1:05-CV-00328-OWW-SMS
16 Plaintiff,)
17 vs.) **STIPULATION AND ORDER REGARDING**
18 CITY OF FRESNO, R. GARRISON (F.P.D.) **EXTENSION TO CONDUCT**
19 Badge No. 780), MARK A. YEE (F.P.D. Badge) **INDEPENDENT MENTAL EXAMINATION**
20 No. 692), J. CAPRIOLA (F.S.O. Badge No.) **OF PLAINTIFF**
21 7622), I. BARRIMOND (F.S.O. Badge No.) **FRCP 29; Local Rule 6-144(a)**
22 1153), J. HOLLINS (F.S.O. Badge No. 2346),)
23 R. PEREZ (F.S.O. Badge No. 6169), A.)
24 SIMONSON (F.S.O. Badge No. 9364),) Trial Date: October 24, 2006
25 inclusive,)
26 Defendants.)
27 _____)
28)

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30 IT IS HEREBY STIPULATED by and between the parties that Defendants are given an
31 extension of time to have Plaintiff, Zella Maye Freeman, submit to an Independent Mental Examination
32 (“IME”).

33 Pursuant to the Court’s Amended Order (Court Docket No. 52), Defendants were to have
34 Plaintiff submit to an IME on or before July 13, 2006. The parties have agreed to an extension and
35 Defendants now have up and until September 13, 2006 to have Plaintiff submit to an IME.

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1 It is further stipulated that the parties will meet and confer and provide the Court with a
2 proposed Order under Federal Rules of Civil Procedure Rule 35, regarding the terms of the
3 examination (i.e., time, place, manner, conditions, persons present, and scope).

4 The Proposed Order will be prepared by Defendants and submitted to Plaintiff's counsel for
5 review, then filed with the Court no later than August 4, 2006. Should any issues arise with respect to
6 the terms in the Rule 35 Order, the parties are to bring these issues to the attention of the Court by
7 August 4, 2006.

8 All other dates on the Scheduling Order will remain the same.

9 DATED: July 5, 2006

10 WEAKLEY, RATLIFF, ARENDT & McGUIRE, LLP
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12 By: /s/ Erica M. Camarena
13 Erica M. Camarena
Attorney for Defendants

14 DATED: July 7, 2006

NUTALL & COLEMAN

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16 By: /s/ Wesley E. Stupar (as authorized on July 7, 2006)
17 Wesley E. Stupar
Attorney for Plaintiff

18 **ORDER**
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20 IT IS SO ORDERED.

21 Dated: July 17, 2006
22 icido3

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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